

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5839 OF 2005

Lt. Col. (Retd) Kumarsingh
Ratra Petitioner.
VS.
Mrs. Ranjana Singh Ratra Respondent.

Ajay Joshi and V.B. Tapkiri
for the petitioner.
Ms. Revati Mohite and Ms. Sangeeta Chaudhary
for the respondent.

CORAM: S.B. MHASE, J.

DATED: 2ND MAY, 2006.

P.C. :

1. The order dated 4.8.2005 passed in
Petition No. B/14 of 2005 Exhibit 6 is
challenged by this petition.

2. The petitioner and respondent are the
husband and wife. The flat in question is the
matrimonial home of the respondent. A divorce
petition filed by the petitioner husband has

been dismissed in earlier round of litigations. Thereafter since the husband has tried to dispose off the flat which is the matrimonial home, the application has been filed seeking an injunction. There is no dispute over the fact that the flat in question is the matrimonial house. The property is the matrimonial home of the respondent wife and the if the husband is permitted to sell away the property then in that circumstances the wife will have to come on road and thus the husband having lost in earlier round of litigations is trying to throw away his wife by selling the property. Therefore the family court is right in granting injunction. No interference is called for. Petition fails. Hence rejected.

(S.B. MHASE, J)